

2186



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the patent application of

P. Durrant

Application No: 10/656,639

Filing Date: September 5, 2003

For: COMPUTER SYSTEM AND METHOD  
WITH MEMORY COPY COMMAND

)  
) Docket No. SUNMP438

)  
) Group Art Unit: 2186

)  
) Examiner: Unknown

)  
) Date: February 19, 2004

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on February 19, 2004.

Signed: \_\_\_\_\_

*Neely Jo Entwistle*  
Neely Jo Entwistle

**Communication Regarding Statement Under 37 C.F.R. §3.73(b)-Establishing Right of Assignee to Take Action and Power of Attorney by Assignee (Revocation of Prior Powers)**

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

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Applicant hereby attaches a Combined Statement Under 37 C.F.R. §3.73(b)-Establishing Right of Assignee to Take Action and Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers, Appendix A, and Appendix B, with reference to the above-identified U.S. patent application. Applicant respectfully requests this document be made of record.

As stated in the Power of Attorney please send all correspondence to:

Martine & Penilla, LLP  
710 Lakeway Drive, #170  
Sunnyvale, CA 94085  
Customer No. 32291

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Applicant believes that no fees are due in connection with this filing, however, if it is determined that any fees are due, the Commissioner is authorized to charge such fees to Deposit Account 50-0805 (SUNMP438). If the Commissioner has any questions concerning this document, please contact the undersigned at the telephone number set forth below.

Respectfully submitted,  
MARTINE & PENILLA, LLP

*Albert S. Penilla, Esq.*  
Albert S. Penilla, Esq.  
Reg. No. 39,487

710 Lakeway Drive, Suite 170  
Sunnyvale, CA 94085  
(408) 749-6900  
Customer Number 32,291



# IN THE UNITED STATES PATENT & TRADEMARK OFFICE

## COMBINED STATEMENT UNDER 37 C.F.R. § 3.73(b)-ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

AND

## POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST AND REVOCATION OF PRIOR POWERS

Commissioner for Patents  
Washington, D.C. 20231

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Technology Center 2100

Sir:

### Statement Under 37 CFR §3.73(b):

Sun Microsystems, Inc., a corporation organized under the laws of Delaware states that it is the assignee of entire right, title, and interest; in the patent(s) and/or patent application(s) listed on the attached APPENDIX A, by virtue of an Assignment from the inventor(s) of each of the patent(s) and/or patent application(s) listed on the attached APPENDIX A. Date of recordal, and Reel and Frame number of recordal by the United States Patent & Trademark Office identified on the attached APPENDIX A.

### Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers:

Pursuant to 37 C.F.R. §1.36, Sun Microsystems, Inc., the record owner (per Statement Under 37 CFR §3.73(b) above) of the patent(s) and/or patent application(s) listed on the attached APPENDIX A, revokes all previous powers of attorney in the patent(s) and/or patent application(s) listed on the attached APPENDIX A and hereby appoints the following attorneys and/or agents assigned to the below Customer Number to prosecute the patent(s) and/or patent application(s) listed on the attached APPENDIX A and transact all business in the U.S. Patent and Trademark Office connected therewith:

**Customer Number 32,291**

Please send all correspondence to:

MARTINE & PENILLA, LLP  
710 Lakeway Dr., Suite 170  
Sunnyvale, CA 94085  
Tel: (408) 749-6900  
Fax: (408) 749-6901  
Customer Number 32,291

The undersigned is empowered to sign on behalf of Sun Microsystems, Inc. in accordance with the attached Delegation of Authority (APPENDIX B)

The undersigned hereby declares that all statements made herein of the undersigned's own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the patents and patent applications listed on the attached APPENDIX A or any patents issuing thereon.



(Signature of authorized person)

12/3/02

(date)

Marilyn E. Glaubenslee, Esq.

(Type or print name of authorized person)

Managing Attorney (Reg. No. 35,521)

Title of authorized person *(Having delegated power to sign for Sun Microsystems, Inc. in accordance with APPENDIX B)*

IDENTIFICATION OF APPLICATION



Application No. 10/656,639

Assignee: Sun Microsystems, Inc.

Title: **COMPUTER SYSTEM AND METHOD WITH COPY  
MEMORY COMMAND**

Recordation Date: See Attached

Reel/Frame: \_\_\_\_\_

Atty Docket: SUNMP438

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ACKNOWLEDGEMENT by an Employee of the Right to apply for a Patent and AN ASSIGNMENT to have effect on the 5 SEPTEMBER 2002 BETWEEN

PAUL DURRANT, of UNITED KINGDOM nationality, of 59 DEVONSHIRE GREEN, FARHAM ROYAL, SLOUGH, SL2 3DX, UNITED KINGDOM (hereinafter referred to as "Inventor") of the first part;

SUN MICROSYSTEMS LIMITED, a UNITED KINGDOM company, having a place of business at BAGSHOT MANOR, GREEN LANE, BAGSHOT, SURREY, GU19 5NL, UNITED KINGDOM (hereinafter referred to as "Employer Company") of the second part; AND

SUN MICROSYSTEMS, INC., a corporation of Delaware, United States of America, having a place of business at 4120 NETWORK CIRCLE, MS SCA 12-203, SANTA CLARA, CALIFORNIA 95054, UNITED STATES OF AMERICA (hereinafter referred to as "Parent Company") of the third part.

WHEREAS :-

- (A) Each Inventor claims to have made with his/her co-inventor(s) the Invention described in the Schedule (hereinafter referred to as "the Invention");
- (B) The Invention has been made by each Inventor during the period of his/her employment with the Employer Company and in the course of his/her normal duties with the Employer Company and by virtue of the terms of his/her employment with the Employer Company, the Invention is to be taken as between the Employer Company and the Inventor to belong to the Employer Company;
- (C) The Employer Company agrees to assign the Invention and the right to apply for a patent or patents relating to the said Invention to the Parent Company together with all rights title and beneficial interest in and arising therefrom.

NOW THIS AGREEMENT WITNESSES as follows:-

1. Each Inventor HEREBY ACKNOWLEDGES that the Invention and all rights therein including the right to apply for a patent or patents relating to the Invention belongs to the Employer Company, and in consideration thereof and pursuant thereto HEREBY ASSIGNS TO AND CONFIRMS the vesting in the Employer Company of:
  - (a) the whole of the property in the Invention throughout the world and any protection obtained at any time therefor and all rights title and interest which the Inventor may have or have been entitled to therein including all rights to bring proceedings for infringement thereof together with the full and exclusive benefit thereof; and
  - (b) the right to apply for and obtain or to enable others to apply for and obtain a patent or patents or any other form of protection in respect of the Invention both in the United States of America and throughout the world.
2. In pursuance of the agreement referred to in Recital (C) and IN CONSIDERATION of the sum of FIVE US DOLLARS, receipt of which is hereby confirmed, the Employer Company hereby assigns to the Parent Company all its rights in the Invention including the right to apply for a patent or patents and to exploit the Invention or any patent or other protection obtained in respect thereof TO HOLD the same unto the Parent Company absolutely.
3. Each Inventor hereby undertakes to the Parent Company that he/she will at the expense of the Parent Company execute all documents and do all such acts and things as the Parent Company may in its absolute discretion consider necessary or desirable to enable Letters Patent or any form of protection to be issued in respect of the Invention in any part or parts of the world and to vest the same in the name of the Parent Company or its nominee free from all encumbrances and to enable or to assist the Parent Company or its nominee to defend oppositions to grant thereof, to maintain the same when granted and to present and prosecute for the infringement thereof.
4. Each Inventor hereby warrants to the Employer Company and to the Parent Company:

- (a) that he/she has not assigned or agreed to assign to any person firm or company or otherwise encumbered the Invention or any other part of the rights therein and thereto;
- (b) that he/she has not disclosed and will not disclose the Invention to any person firm or company other than the Employer Company or the Parent Company except as directed by the Employer Company or the Parent Company;
- (c) that he/she will give to the Employer Company or the Parent Company all information in his/her possession or in his/her power relating to the Invention and the method of employing or using the same as the Employer Company or the Parent Company shall require;
- (d) that he/she knows of no reason why a valid patent or valid patents relating to the Invention should not be granted either to himself/herself or to his/her successors in title.

IN WITNESS thereof the parties have duly executed this document to have effect the day and year first above written

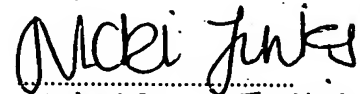
#### SCHEDULE

The invention is as described in the attached specification entitled "COMPUTER SYSTEM AND METHOD WITH MEMORY COPY COMMAND"  
(SUN REF: P7783).


SIGNED by the Inventor:

  
PAUL DURRANT


Witness

  
NICKI JINKS

SIGNED for and on behalf of  
SUN MICROSYSTEMS LIMITED:

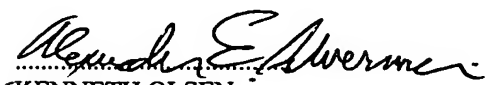
  
MARK CURTIS  
~~SOLICITOR AND COMPANY SECRETARY~~  
SUN MICROSYSTEMS LIMITED

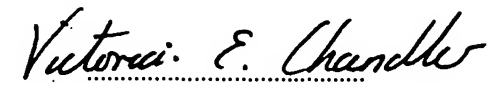
Witness

  
J. E. COE

SIGNED for and on behalf of  
SUN MICROSYSTEMS, INC:

Witness

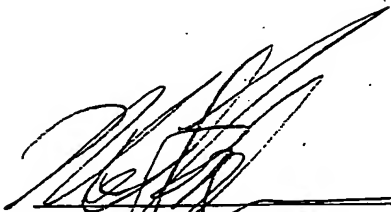
  
~~KENNETH OLSEN~~  
VICE PRESIDENT INTELLECTUAL PROPERTY  
SUN MICROSYSTEMS, INC  
ALEXANDER. E. SILVERMAN  
ASSISTANT GENERAL COUNSEL  
SUN MICROSYSTEMS, INC

  
VICTORIA. E. CHANDLER

## DELEGATION OF SIGNING AUTHORITY

I, Marc D. Foodman, Chief Patent Counsel, of Sun Microsystems Inc., (the "Company"), hereby appoint each of the following persons listed below as Attorney-in-Fact of the Company to execute and deliver in the name and on behalf of the Company, patent office documents, and to grant powers of attorney to patent attorneys and patent agents representing the Company in the patent offices and trademark offices throughout the world as required to facilitate filing, obtaining, renewing, maintaining, working, opposing and terminating patent applications and patent registrations on behalf of the Company, and to execute documents which effect the transfer of title or licenses of patents or trademark rights, so long as such transfers are between any of the Company and its subsidiaries. This Delegation of Signing Authority is effective as of May 19, 2003, and will continue in full force and effect while such persons are employees of the Company or until such time as I otherwise designate.

Andrew C. Chen	Reg. No. 43,544
Bernice B. Chen	Reg. No. 42,403
Arien C. Ferrell	Reg. No. 46,696
Marilyn E. Glaubenskle	Reg. No. 35,521
Elaine K. Lee	Reg. No. 41,936
Sean P. Lewis	Reg. No. 42,798
Jeffrey L. Meyers	Reg. No. 44,252
Pavel Pogodin	Reg. No. 48,205
Paul D. Sorkin	Reg. No. 39,039
Monica D. Ward	Reg. No. 40,696

  
\_\_\_\_\_  
Marc D. Foodman  
Chief Patent Counsel  
Sun Microsystems, Inc.